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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK A. CASTILLO,

Plaintiff,

No. C 07-01486 JSW

v.

LEHMAN BROTHERS, INC.,

ORDER TO SHOW CAUSE

Defendant.

/

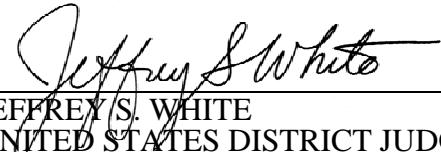
On April 24, 2007, defendant Lehman Brothers, Inc. (“Defendant”) filed a motion to compel arbitration and noticed it to be heard on June 15, 2007 at 9:00 a.m. On May 1, 2007, this Court issued a briefing schedule on the pending motion to compel arbitration and informed plaintiff Mark A. Castillo (“Plaintiff”) that his opposition to the motion was due to be filed by no later than May 16, 2007. To date, no opposition has been filed.

Plaintiff is HEREBY ORDERED TO SHOW CAUSE (“OSC”) in writing, by May 29, 2007, why the pending motion to compel arbitration should not be granted in light of his failure to file a timely opposition or statement of non-opposition. If Plaintiff seeks to file a substantive response to Defendant’s motion, Plaintiff must demonstrate good cause for failing to file his opposition brief in a timely fashion. In his response to this OSC, Plaintiff is also directed to show cause why this case should not be dismissed for failure to prosecute. Plaintiff is admonished that his failure to respond this Order by May 29, 2007, will result in a dismissal of this action.

1 If Plaintiff seeks to file a substantive response to Defendant's motion and demonstrates
2 good cause for his delay, the Court will provide Defendant an opportunity to file a reply brief.
3 The hearing on Defendant's motion remains set for June 15, 2007, unless otherwise ordered.

4 **IT IS SO ORDERED.**

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6 Dated: May 21, 2007
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JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MARK A. CASTILLO,

Case Number: CV07-01486 JSW

Plaintiff,

CERTIFICATE OF SERVICE

V.

LEHMAN BROTHERS et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 21, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Mark A. Castillo
611 Guerrero St #15
San Francisco, CA 94110

Peter R. Boutin
Keesal Young & Logan
Suite 1500
Four Embarcadero Center
San Francisco, CA 94111

Dated: May 21, 2007

Jennifer Ottolini

Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk

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